

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:
SAMUEL B. ABRAMS
PENNIE & EDMONDS LLP
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 10036

PCT

NOTIFICATION OF TRANSMITTAL OF
 THE INTERNATIONAL SEARCH REPORT
 OR THE DECLARATION

(PCT Rule 44.1)

Date of Mailing
 (day/month/year)

13 FEB 2002

Applicant's or agent's file reference 10752-006-22	FOR FURTHER ACTION See paragraphs 1 and 4 below
International application No. PCT/US01/29922	International filing date (day/month/year) 24 September 2001 (24.09.2001)
Applicant FRESHGENE, INC	

<p>1. <input checked="" type="checkbox"/> The applicant is hereby notified that the international search report has been established and is transmitted herewith. Filing of amendments and statement under Article 19: The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):</p> <p>When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the international search report; however, for more details, see the notes on the accompany sheet.</p> <p>Where? Directly to the International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35</p> <p>For more detailed instructions, see the notes on the accompanying sheet.</p> <p>2. <input type="checkbox"/> The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.</p> <p>3. <input type="checkbox"/> With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that: <ul style="list-style-type: none"> <input type="checkbox"/> the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices. <input type="checkbox"/> no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made. </p> <p>4. Further action(s): The applicant is reminded of the following:</p> <p>Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in rules 90 bis 1 and 90 bis 3, respectively, before the completion of the technical preparations for international publication.</p> <p>Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).</p> <p>Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.</p>	
Name and mailing address of the ISA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703)305-3230	Authorized officer Carla Myers Telephone No. 703-308-0196

PATENT COOPERATION TREATY
PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 10752-006-22	FOR FURTHER ACTION	see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below
International application No. PCT/US01/29922	International filing date (day/month/year) 24 September 2001 (24.09.2001)	(Earliest) Priority Date (day/month/year) 22 September 2000 (22.09.2000)
Applicant FRESHGENE, INC		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the Report**
 - a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
 - b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:
 contained in the international application in written form.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority in written form.
 furnished subsequently to this Authority in computer readable form.
 the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
2. **Certain claims were found unsearchable** (See Box I).
3. **Unity of invention is lacking** (See Box II).
4. With regard to the **title**,
 the text is approved as submitted by the applicant.
 the text has been established by this Authority to read as follows:
5. With regard to the **abstract**,
 the text is approved as submitted by the applicant.
 the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
6. The figure of the **drawings** to be published with the abstract is Figure No. _____
 as suggested by the applicant.
 because the applicant failed to suggest a figure.
 because this figure better characterizes the invention.
 None of the figures

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US01/29922

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : C12Q 1/68; C12P 19/34

US CL : 435/6, 91.1, 91.2

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 435/6, 91.1, 91.2

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
NONEElectronic data base consulted during the international search (name of data base and, where practicable, search terms used)
Please See Continuation Sheet

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No
Y	US 6,013,439 A (LISHANSKI et al) 11 January 2000, columns 9 and 25.	1
Y	WO 00/20643 A1 (MOSAIC TECHNOLOGIES) 13 April 2000, page 11.	1

 Further documents are listed in the continuation of Box C.

See patent family annex.

Special categories of cited documents:	
"A"	document defining the general state of the art which is not considered to be of particular relevance
"E"	earlier application or patent published on or after the international filing date
"L"	document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O"	document referring to an oral disclosure, use, exhibition or other means
"P"	document published prior to the international filing date but later than the priority date claimed
"T"	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X"	document of particular relevance, the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y"	document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&"	document member of the same patent family

Date of the actual completion of the international search

29 October 2001 (29.10.2001)

Date of mailing of the international search report

Name and mailing address of the ISA/US
Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231
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Carla Myers
Telephone No. 703-308-0196

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US01/29922

Continuation of B. FIELDS SEARCHED Item 3:
DIALOG: Medline, CA, BIOSIS, EMBASE, SciSearch; WEST: US, EP, WO, JP Patents
serach terms: heteroduplex, mutation, polymorphism, variant, Holliday, branch migration, displace